

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)	Case No. 21-08588
)	
Jason Ellis,)	Chapter 7
)	
Debtor.)	Hon. A. Benjamin Goldgar

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **July 15, 2022 at 11:00 a.m.** I will appear before the Honorable Judge A. Benjamin Goldgar, or any judge sitting in that judge's place, and present **TRUSTEE'S MOTION TO EMPLOY LEGAL COUNSEL**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video/website, use this link: <https://www.zoomgov.com/join>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **160 817 7512** and the passcode is 623389. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Date: July 8, 2022

Ilene F. Goldstein, not individually but as
the chapter 7 trustee of the bankruptcy
estate of Jason Ellis,

By: /s/ Daniel J. Nickel
One of her Attorneys

Zane L. Zielinski (6278776)
Daniel J. Nickel (6278133)
THE LAW OFFICE OF

ZANE L. ZIELINSKI, P.C.

6336 North Cicero Avenue, Suite 201

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d. 773-877-3191 / 773-981-4725 (Nickel)

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CERTIFICATE OF SERVICE

I, Daniel J. Nickel, an attorney, state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, service of the above referenced **TRUSTEE'S MOTION TO EMPLOY LEGAL COUNSEL** on all persons identified as Registrants on the appended service list was accomplished through the Court's Electronic Notice for Registrants, and, as to all other persons identified on the following service list, I caused a copy of the foregoing document to be served by email to the email addresses described, or served by U.S. First Class Mail, as indicated, on July 8, 2022.

/s/ Daniel J. Nickel

Daniel J. Nickel

SERVICE LIST

ELECTRONIC MAIL NOTICE LIST

The following is the list of **parties** who are currently on the list to receive email notice/service for this case:

- David M Siegel davidsiegelbk@gmail.com
Debtor's counsel
- Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov

Via Email Only to Parties Requesting Notice

PRA Receivables Management claims@recoverycorp.com

Atlas Acquisitions bk@atlasacq.com

Capital One Auto Finance ecfnotices@ascensioncapitalgroup.com

MANUAL SERVICE LIST VIA U.S. MAIL - DEBTOR AND NON-PARTY RESPONDENTS

Debtor

Jason Ellis

1531 Southport Court

Zion, IL 60099

UNITED STATES BANKRUPTCY COURT
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IN RE:)	Case No. 21-08588
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TRUSTEE'S MOTION TO EMPLOY LEGAL COUNSEL

NOW COMES Ilene F. Goldstein, not individually, but as chapter 7 trustee (the "Trustee") for the bankruptcy estate of Jason Ellis (the "Debtor"), and through counsel, The Law Office of Zane L. Zielinski, P.C., and for her Motion to Employ Legal counsel, Zane L. Zielinski ("Zielinski") and The Law Office of Zane Zielinski, P.C. (collectively referred to as the "Firm") retroactive to June 15, 2022, to represent the Trustee, states as follows:

1. On July 18, 2021, a voluntary petition under Chapter 7 of the United States Bankruptcy Code was filed in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.
2. Ilene F. Goldstein has been appointed as the Trustee. The 341 meeting took place on April 14, 2022.
3. Among the assets of the Estate are potential corporate shares Debtor received or earned through an employer's program, the shares being referred to as restricted stock units.
4. The Trustee requires the assistance of counsel to represent her in matters concerning the liquidation of assets of the Estate, including the foregoing real estate, to

investigate the financial affairs of the Debtor, to examine and resolve claims filed against assets of the Estate, and to prepare and prosecute adversary matters and otherwise represent the Trustee in matters before the Court.

RELIEF REQUESTED

5. The Trustee respectfully requests that the Court authorize her to employ the Firm on the terms and conditions set forth herein and in the Declarations.

6. The predicates for the relief requested herein are 11 U.S.C. §§ 105(a), 327(a), 328(a), and 329, as supported by Rules 2014 and 2016 of the Federal Rules of Bankruptcy Procedure.

BASIS FOR RELIEF

7. A trustee may employ, with the court's approval, one or more attorneys "that do not hold or represent an interest adverse to the Estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under [the Bankruptcy Code]." 11 U.S.C. § 327(a).

8. The Trustee seeks to retain the Firm as her counsel because (a) the Firm has extensive general experience and knowledge in the field of debtor's and creditor's rights and cases under chapter 7 of the Bankruptcy Code and is experienced in investigating a chapter 7 debtor's assets and pursuing recovery of such assets; (b) the Firm has experience and knowledge practicing before this Court, and (c) the Firm's appearance before this Court for the applications, motions, and other matters in this chapter 7 case will be efficient and cost effective for the Estate. The Trustee believes that the Firm is both well qualified and uniquely able to represent her in the chapter 7 case in a most efficient and timely manner.

9. The Trustee expects that the Firm will be called upon to render professional services, including, but not limited to, the following:

- a. providing legal advice with respect to the liquidation of the Debtor's assets and administration of the Estate;
- b. reviewing documents from Debtor and third-parties regarding assets;
- c. locating and investigating all assets of the Debtor, including the Debtor's interest in any trusts or business entities;
- d. preparing, on behalf of the Trustee, all necessary applications, motions, adversary proceedings, answers, orders, reports, and other legal papers as required by applicable bankruptcy or non-bankruptcy law, as dictated by the demands of the case, or as required by the Court, and representing the Trustee in any hearings or proceedings related thereto;
- e. appearing in Court and protecting the interests of the Trustee and the Estate before the Court; and
- f. performing all other legal services for the Trustee relating to the recovery of assets that he may deem necessary and proper in this Case.

10. As set forth in the Declaration, the Firm believes that it does not hold or represent an interest adverse to the Estate, and that it is a disinterested person within the meaning of § 327(a).

11. Additionally, pursuant to Bankruptcy Rule 2014(a), the Firm does not have any connections with the Debtor, their creditors, the United States Trustee or any person employed in the office of the United States Trustee, any other party in interest, or their

respective attorneys or accountants that require disclosure.

12. Under the facts as described herein and in the Declaration, the Trustee believes that retention of the Firm satisfies all of the applicable statutory standards enumerated above.

COMPENSATION

13. Section 328(a) of the Bankruptcy Code permits the Trustee, subject to this Court's approval, to employ or authorize the employment of a professional person under Section 327 "on any reasonable terms and conditions of employment, including ... on a contingent fee basis." 11 U.S.C. § 328(a).

14. The Trustee proposes to retain the Firm on an hourly basis and seeks approval under Section 328(a) of the Bankruptcy Code of that arrangement.

15. The normal hourly billing rates for the attorneys at the Law Office of Zane Zielinski P.C. are as follows: Zane Zielinski - \$350.00 per hour. See attached Declaration of Zane Zielinski that sets for the hourly billing rates for all of the Firm's attorneys.

16. The Firm will maintain detailed and contemporaneous records of time and any actual and necessary expenses incurred in connection with the rendering of the legal services contemplated herein by category and nature of the services rendered.

17. The Firm understands that any and all compensation for legal services rendered on behalf of the Trustee shall be subject to Court approval, after notice and hearing, and in accordance with applicable sections of the Bankruptcy Code, Bankruptcy Rules, and Local Rules and Procedures. The Trustee requests that all legal fees and related costs incurred by the Trustee on account of services rendered by the Firm in this case be paid as an administrative expense of the Estate in accordance with the Bankruptcy Code

and any applicable orders entered in this chapter 7 case.

18. Prior to the filing of this Application, the Trustee required that her counsel perform certain routine services, including reviewing schedules and advising her regarding her ability to liquidate certain assets. The Trustee requests that her retention of counsel be made effective as of June 15, 2022 .

NOTICE

19. Notice of this Application has been given to: (i) the Office of the United States Trustee; (ii) the Debtor; (iii) the Debtor's counsel; and (iv) any person that has requested notice in the Case or that receives notices through the ECF System with respect to the case.

WHEREFORE, Ilene F. Goldstein, as Trustee for the Estate of Jason Ellis, prays this Court enter an Order for the following:

- a.) Authorizing the Trustee to employ Zane L. Zielinski and The Law Office of Zane Zielinski, P.C. retroactive to June 15, 2022 on a general retainer compensation subject to further Order of Court; and
- b.) For such other and further relief as this Court deems appropriate.

Dated: July 8, 2022

Respectfully Submitted,

Ilene F. Goldstein, as Trustee
for the Estate of Jason Ellis,

By: /s/ Daniel J. Nickel
One of her Attorneys

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Daniel J. Nickel (6278133)
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